

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

CRAIG A. THOMPSON,

Petitioner,

: Case No. 3:18-cv-117

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

CHAE HARRIS, Warden,
Warren Correctional Institution

:

Respondent.

ORDER

This habeas corpus case is before the Court on Petitioner's Motion to the Court which is yet another request for reconsideration of the Magistrate Judge's denial of Petitioner's Motion to Amend Ground Eight (ECF No. 97).

The Magistrate Judge denied Thompson's Motion to Amend Ground Eight on June 12, 2020 (ECF No. 81). On June 25, 2020, Thompson filed a Motion for Reconsideration (ECF No. 86) which the Magistrate Judge denied (ECF No. 87). Thompson then filed a Motion to Amend the Judgment and Supplemental Motion to Amend the Judgment under Fed.R.Civ.P. 59(e)(ECF Nos. 90 and 91). The Magistrate Judge construed these as motions for reconsideration because there was no relevant final judgment to amend and then denied them on the merits (ECF No. 93).

While trial judges are permitted to reconsider interlocutory decisions made prior to judgment, they are not obliged to do so. Thompson has been given more than adequate opportunity to argue his case for adding the proposed new sub-claim to Ground Eight and the Magistrate Judge declines to reconsider it further.

A litigant who disagrees with a Magistrate Judge's decision on a non-dispositive pretrial matter has the right to object and obtain review by the assigned District Judge. Fed.R.Civ.P. 72(a). The Magistrate Judge *sua sponte* extends Thompson's time to object to the Magistrate Judge's most recent decision on reconsideration to and including August 3, 2020. The Magistrate Judge will not treat the case as for ripe for decision until Judge Rose decides any such objections.

July 21, 2020.

s/ *Michael R. Merz*
United States Magistrate Judge